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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,753	12/18/2000	Eric J. Park	2042.300	8245
22853	7590	10/01/2003		
LEVIN INTELLECTUAL PROPERTY GROUP 384 FORESET AVE, SUITE 13 LAGUNA BEACH, CA 92651				
			EXAMINER BARTUSKA, FRANCIS JOHN	
			ART UNIT 3627	PAPER NUMBER
DATE MAILED: 10/01/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.



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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL
PROPERTY AND DIRECTOR OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE
Washington, D.C. 20231

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Paper No. 10

In re Application of: Eric J. Park	:	PETITION TO ACCEPT
Application No. 09/740,753	:	COLOR DRAWINGS
Filed: December 18, 2000	:	UNDER
Attorney Docket No.: 2042.301	:	37 C.F.R. 1.84
For: METHOD and APPARATUS for	:	
INTERNET MARKETING and	:	
TRANSACTIONAL DEVELOPMENT	:	

This is a decision on Applicant's petition under 37 C.F.R. 1.84(a)(2) filed on August 4, 2003 requesting the acceptance of color drawings for the above-identified application.

The petition is **DENIED**.

This invention is directed to the field of marketing over the Internet. The color associated with the drawings is only being used to identify different profit center nodes.

The Petitioner is requesting the acceptance of color drawings because

- Color is needed to both show the difference in the overall pattern of relationships formed while retaining the complexity to the overall structure of each matrix.

The criteria for accepting color drawings in a patent application is set forth in MPEP 608.02 and 37 CFR 1.84(a)(2) Standards for drawings. 37 CFR 1.84(a)(2) states

"(2) Color. On rare occasions, color drawings may be necessary as the only practical medium by which to disclose the subject matter sought to be patented in a utility or design patent application or the subject matter of a statutory invention registration."

Additionally, the petition must also include

- i. the fee set forth in 37 C.F.R. 1.17(h)
- ii. three (3) sets of color drawings
- iii. a black and white photocopy that accurately depicts, to the extent possible, the subject matter shown in the color drawing
- iv. an amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings;

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

With regard to the criteria for accepting color drawings, as set forth above, the use of color drawings in the application under consideration is not considered the only practical medium for disclosing the subject matter to be patented. The application has several other drawings which provided detailed explanation of the invention and the proposed color drawings (figures 4a and 4b) are only relying on the use of color for convenience.

Drawing figures 4a and 4b could be easily modified by placing each figure on a separate sheet, enlarging it, and using different shading, cross hatching or shapes for the various node types. Such modifications to the drawings would make them as easy to understand as the proposed color drawings.

Accordingly, the request for the acceptance of color drawings in this application is **DENIED**.

In order to expedite prosecution, it is suggested that the applicant cancel all of the color drawings, figures 1A-8A, all references to these figures in the specification, and the subject matter added to the specification under the BRIEF DESCRIPTION OF THE DRAWINGS on August 4, 2003.



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